

Appl. No. : 09/652,730  
Filed : August 31, 2000

### REMARKS

The following remarks are responsive to the February 27, 2006 Office Action. Claims 1-19 and 21-30 remain pending in the application. Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the following arguments.

#### **Response to Rejection of Claims 1-12, 19, and 22-30 Under 35 U.S.C. § 102(e)**

In the February 27, 2006 Office Action, the Examiner rejects Claims 1-12, 19, and 22-30 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,771,886 issued to Mendelsohn ("Mendelsohn").

#### **Claim 1**

As previously presented, independent Claim 1 recites (emphasis added):

1. A digital video recorder connectable to a set-top box configured to receive electronic program guide information and broadcast audiovisual data, the set-top box including at least one auxiliary interface that supports communication between the digital video recorder and the set-top box, the digital video recorder comprising:

at least one recorder interface connectable to the auxiliary interface;

a storage device;

**a microprocessor configured to control the digital video recorder and the set-top box, the microprocessor comprising an electronic program guide subsystem** connected to the recorder interface to receive the electronic program guide information from the set-top box and to process the electronic program guide information to schedule recording the broadcast audiovisual data on the storage device; and

a video output interface separate from the recorder interface, the video output interface connectable to a display device.

Applicants submit that Mendelsohn does not disclose or suggest all the limitations recited by Claim 1. For example, Applicants submit that Mendelsohn does not disclose or suggest "a microprocessor configured to control the digital video recorder and the set-top box" or that "the microprocessor compris[es] an electronic program guide subsystem" as recited by Claim 1. Mendelsohn discloses a recording device comprising a processor which queries a determining device to determine if a user is available at the time of a selected television show, and which programs the recording device to record the selected television show if the user is unavailable (Col. 4, lines 46-54). In addition, while Mendelsohn discloses that the recording device receives electronic programming guide ("EPG") data from a receiving device (e.g., a set-top box) (Col. 3, lines 26-31 and 41-42) and searches for occurrences of a show to record (Col. 4, lines 27-28),

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Mendelsohn does not disclose that the processor that programs the recording device performs these functions. Thus, Mendelsohn discloses a processor which only programs the recording device and communicates with the determining device to determine the user's availability. Nowhere does Mendelsohn disclose or suggest that the processor is configured to control the recording device and the receiving device or that the processor that programs the recording device also contains an electronic program guide subsystem. Consequently, Mendelsohn does not disclose or suggest the digital video recorder recited by Claim 1, so Claim 1 is patentably distinguished over Mendelsohn. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of Claim 1 and pass Claim 1 to allowance.

#### **Claims 2-12**

Claims 2-12 depend from Claim 1, so Claims 2-12 includes all the limitations of Claim 1 as well as other limitations of particular utility. Therefore, for at least the reasons discussed above in regard to Claim 1, Claims 2-12 are patentably distinguished over Mendelsohn. Applicants respectfully request that the Examiner withdraw the rejection of Claims 2-12 and pass these claims to allowance.

#### **Claim 19**

As previously presented, independent Claim 19 recites (emphasis added):

19. A digital video recorder connectable to a set-top box configured to receive electronic program guide information, the set-top box including at least one auxiliary interface that supports communication between the digital video recorder and the set-top box, the digital video recorder comprising:

at least one device interface connectable to the auxiliary interface;

**a microprocessor configured to control the digital video recorder and the set-top box, the microprocessor comprising an electronic program guide subsystem** connected to the device interface to receive and process the electronic program guide information from the set-top box; and

a video output interface separate from the device interface, the video output interface connectable to a display device.

For reasons similar to those described above with respect to Claim 1, Applicants submit that Claim 19 includes limitations not taught or suggested by Mendelsohn. Applicants therefore submit that Claim 19 is patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejection of Claim 19 and pass Claim 19 to allowance.

#### **Claim 22**

As previously presented, independent Claim 22 recites (emphasis added):

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22. A method for communicating electronic program guide information from a set-top box configured to receive the electronic program guide information to a digital video recorder comprising a video output interface connectable to a display device and **a microprocessor configured to control the digital video recorder and the set-top box, the microprocessor comprising an electronic program guide subsystem**, the method comprising:

connecting at least one recorder interface of the digital video recorder to at least one auxiliary interface of the set-top box, the recorder interface separate from the video output interface and connected to the electronic program guide subsystem;

recognizing the connection of the digital video recorder to the set-top box; and

**communicating the electronic program guide information from the set-top box to the electronic program guide subsystem.**

Applicants submit that Claim 22 includes limitations not disclosed or suggested by Mendelsohn. For example, Mendelsohn does not disclose or suggest “a microprocessor configured to control the digital video recorder and the set-top box, the microprocessor comprising an electronic program guide subsystem” and “communicating the electronic program guide information from the set-top box to the electronic program guide subsystem” as recited by Claim 22.

As described above with regard to Claim 1, Mendelsohn does not disclose or suggest that the processor is configured to control both the recording device and the receiving device, or that the processor that programs the recording device also comprises the electronic program guide subsystem that receives EPG information from the set-top box. Therefore, Applicants submit that Claim 22 includes limitations that are not disclosed by Mendelsohn so that Claim 22 is patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejection of Claim 22 and pass Claim 22 to allowance.

#### **Claims 23-30**

Claims 23-30 depend from Claim 22, so Claims 23-30 includes all the limitations of Claim 22 as well as other limitations of particular utility. Therefore, for at least the reasons discussed above in regard to Claim 22, Claims 22-30 are patentably distinguished over Mendelsohn. Applicants respectfully request that the Examiner withdraw the rejection of Claims 22-30 and pass these claims to allowance.

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**Response to Rejection of Claims 13, 14, 16 and 17 Under 35 U.S.C. § 103(a)**

In the February 27, 2006 Office Action, the Examiner rejects Claims 13, 14, 16, and 17 under 35 U.S.C. §103(a) as being unpatentable over Mendelsohn in view of U.S. Patent No. 6,003,041 issued to Wugofski ("Wugofski").

As discussed above, Applicants submit that Mendelsohn does not disclose or suggest all the limitations of Claim 1. Applicants further submit that Wugofski does not disclose or suggest the limitations of Claim 1 that are missing from Mendelsohn. Furthermore, Applicants submit that neither Mendelsohn nor Wugofski provides a motivation to combine these references. Therefore, Applicants submit that Claim 1 is patentably distinguished over Mendelsohn in view of Wugofski.

Each of Claims 13, 14, 16, and 17 depends from Claim 1, so each discloses all the limitations of Claim 1 as well as other limitations of particular utility. Therefore, Claims 13, 14, 16, and 17 are each patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejections of Claims 13, 14, 16, and 17 and pass these claims to allowance.

**Response to Rejection of Claims 15 and 18 Under 35 U.S.C. § 103(a)**

In the February 27, 2006 Office Action, the Examiner rejects Claims 15 and 18 under 35 U.S.C. §103(a) as being unpatentable over Mendelsohn in view of U.S. Patent No. 5,963,264 issued to Jackson ("Jackson").

As discussed above, Applicants submit that Mendelsohn does not disclose or suggest all the limitations of Claim 1. Applicants further submit that Jackson does not disclose or suggest the limitations of Claim 1 that are missing from Mendelsohn. Furthermore, Applicants submit that neither Mendelsohn nor Jackson provides a motivation to combine these references. Therefore, Applicants submit that Claim 1 is patentably distinguished over Mendelsohn in view of Jackson.

Each of Claims 15 and 18 depends from Claim 1, so each discloses all the limitations of Claim 1 as well as other limitations of particular utility. Therefore, Claims 15 and 18 are each patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejections of Claims 15 and 18 and pass these claims to allowance.

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**Response to Rejection of Claim 21 Under 35 U.S.C. § 103(a)**

In the February 27, 2006 Office Action, the Examiner rejects Claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Mendelsohn in view of U.S. Patent No. 5,699,107 issued to Lawler et al. ("Lawler").

As discussed above, Applicants submit that Mendelsohn does not disclose or suggest all the limitations of Claim 19. Applicants further submit that Lawler does not disclose or suggest the limitations of Claim 1 that are missing from Mendelsohn. Furthermore, Applicants submit that neither Mendelsohn nor Lawler provides a motivation to combine these references. Therefore, Applicants submit that Claim 19 is patentably distinguished over Mendelsohn in view of Lawler.

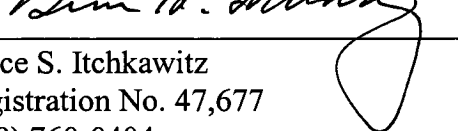
Claim 21 depends from Claim 19, so Claim 21 discloses all the limitations of Claim 19 as well as other limitations of particular utility. Therefore, Claim 21 is patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejections of Claim 21 and pass Claim 21 to allowance.

**Summary**

For the reasons stated above, Applicants submit that Claims 1-19 and 21-30 are in condition for allowance, and Applicants respectfully request such action.

Respectfully submitted,

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